

Remarks

The referenced patent application has been reviewed in light of the referenced Office Action.

In the Claims, claims 1, 3-6, 9, 10, 12-15, and 17-19 are now pending in the referenced application. Claim 8 was previously withdrawn and now stands cancelled. Please cancel claims 2, 7, 11 and 16 without prejudice. Claims 1, 3, 6, 9, 10, 12, 15 and 17 have been amended to clarify Applicant's inventive intent.

Of the pending claims, Claims 1, 3-6, 9, 10, 12-15, and 17-19 are rejected by the Office Action as unpatentable. Claims 1, 4, 6, 10, 13, 15 and 18 are rejected by the Office Action under 35 U.S.C. § 102(e) as being anticipated by United States Patent 6,138,171 (Walker). Claims 3, 12, and 17 are rejected by the Office Action under 35 U.S.C. § 103(a) as unpatentable due to obviousness over Walker in view of United States Patent 6,167,404 (Morcos et al.) and United States Patent 5,517,432 (Chandra et al.). Claims 5, 9, 14 and 19 are rejected by the Office Action under 35 U.S.C. § 103(a) as unpatentable due to obviousness over Walker in view of Morcos et al. Reconsideration of the rejection of the pending claims in view of the following remarks is respectfully requested.

Claim 1 as amended now includes an element relating to identifying at least one plug-in class to the state machine, the plug-in class configured to monitor predetermined events. As admitted in the office action, Walker does not disclose a plug-in class to monitor events. Therefore, the rejection of claim 1 as unpatentable over Walker under 35 U.S.C. § 102(e) is rendered moot, because in order to support a § 102(e) rejection on the basis of anticipation, each and every element as set forth in the claim must be found, either expressly or inherently described, in a prior art reference.

Because claims 6, 10, and 15 are each amended to include an element directed to a plug-in class monitoring predetermined events, the rejection of these claims is also rendered moot by the same argument. Regarding claims 4, 13, and 18, while these claims introduce limitations further distinguishing these claims over the documents relied on by the Office, because claim 4, claim 13, and claim 18 are each dependent on claims 1, 10 and 15 respectively, the rejections of these claims as unpatentable over Walker under 35 U.S.C. § 102(e) are also moot. Thus the rejections of claims 1, 4, 6, 10, 13, 15 and 18 based on the referenced claims being unpatentable over Walker under 35 U.S.C. § 102(e) should be withdrawn.

The Office Action however also argues (with reference to now-cancelled claim 2) that the above referenced element of claim 1 as amended is *obvious* in view of Walker, Morcos et al. and Chandra et al. under 35 U.S.C. § 103(a). The action further asserts that Morcos et al. discloses a plug-in class, but does not disclose such a class to monitor events; and further that Chandra et al. discloses a “component to monitor the state of a state machine.”

To support an assertion of obviousness under 35 U.S.C. § 103(a) with respect to this claim element, it must be shown that it is taught or suggested by the cited references when considered in combination, or be obvious to one of ordinary skill in the art. However, in contradiction to the Action, Morcos et al. *does not* disclose a plug-in class. Instead, Morcos et al. discusses the use of a “plug-in” which is defined by Morcos et al. as a “custom program” implemented as a “COM object.” Morcos et al., Summary of the Invention. Nowhere in Morcos et al. is the notion of a plug-in class as recited in Applicant’s claim even suggested. Moreover, Morcos et al. does not even remotely suggest a plug-in class configured to monitor predetermined events recited as in Applicant’s claim. Instead, the definition of “plug-in” per Morcos et al. is “software modules or objects that can provide functionality to multimedia

software.” Morcos et al., col. 5, lines 8-15. Therefore while Applicant *disagrees* with the assertion in the Action that Morcos et al. “discloses a plug in class,” Applicant agrees that, as admitted in the Action, Morcos et al. do not disclose or suggest the use of a plug-in or any other class to monitor events.

The Office Action further asserts that Chandra et al. discloses a component to monitor the state of a state machine. However, claim 1 as amended relates to a plug-in class configured to monitor predetermined events. As is known to one in the art, a *state* is distinctly different from an *event*, so even if Chandra et al. discloses a component to “monitor the state” of a state machine, such a component is not equivalent to a component to monitor predetermined events, as in Applicant’s claim. Nowhere in Chandra et al. is the word “event” mentioned, or even suggested.

Finally, neither Morcos et al., allegedly relating to plug-in COM objects for multimedia presentations , nor Chandra et al., allegedly relating to simulations of logic circuits using state machines, anywhere hints at a suggestion to combine these two disparate documents from distinctly different technical fields to arrive at the above referenced claim element in Applicant’s claim 1 as amended.

Thus this element of claim 1 as amended is not obvious in view of Walker, Morcos et al. and Chandra et al. and claim 1 as amended should be allowed. By the same argument, claims 6, 11 and 16, which each contain an element directed to a plug-in class monitoring predetermined events, are not rendered obvious by Walker in view of Morcos et al. and Chandra et al. By the same argument, all pending claims dependent on claims 1, 6, 10, and 15, viz. claims 3-5 and 9, claims 12-14, and claims 17-19, which contain the same element as each of the elements 1, 6, 10 and 15 respectively, are not rendered obvious by Walker in view of Morcos et al. and Chandra et

al. Therefore these claims are not unpatentable due to obviousness over Walker in view of Morcos et al. and Chandra et al. and should be allowed.


Therefore, based on the foregoing, it is submitted all claims pending in the application, claims 1, 3-6, 9, 10, 12-15, and 17-19, should be allowed.

The Examiner is welcome to contact the Attorney of Record, Gregory D. Caldwell (Reg. No. 39,926) at 503 439 8778 to discuss any matters with the case. The Commissioner is hereby authorized to charge any fees in connection with this communication to our Deposit Account No. 02-2666.

Respectfully submitted,

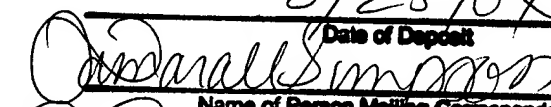
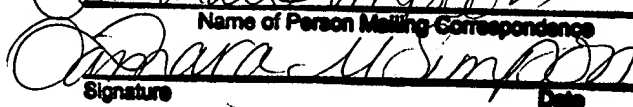
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